



ATTN: APPLICATION BRANCH

**THIS IS A RESPONSE TO A
NOTICE TO FILE MISSING
PARTS OF AN APPLICATION**

ATTORNEYS AT LAW

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

Re: Inventor: Patrick A. GANE, et al.
Serial No: 10/827,531
Filed: April 20, 2004
For: COMPOSITE CO-STRUCTURED OR CO-ADSORBED, MINERAL
OR ORGANIC FILLER OR PIGMENT COMPOUNDS AND THE
USE THEREOF

SIR:

Attached hereto for filing are the following papers:

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION (RETURN COPY);
FILING OF DECLARATION UNDER 37 CFR 1.53(F); DECLARATION, POWER OF ATTORNEY AND
PETITION (COPY, 3 PP., EXE); LETTER TO PTO; DECLARATION 37 CFR 1.132 (EXE)**

Our credit card payment form in the amount of \$1,202.00 is attached covering any required fees. In the event that any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 CFR 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 CFR 1.136 for the necessary extension of time. A duplicate of this sheet is enclosed.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. Oblon

Frederick D. Vastine, Ph.D.
Registration No. 27,013

Docket No. 252169US0CONT

Customer Number

22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 05/03)

Docket No. 252169US0CONT

AUG 27 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Patrick A. GANE, et al.

SERIAL NUMBER: 10/827,531

ATTN: APPLICATION BRANCH

FILING DATE: April 20, 2004

FOR: COMPOSITE CO-STRUCTURED OR CO-ADSORBED, MINERAL OR ORGANIC FILLER OR
PIGMENT COMPOUNDS AND THE USE THEREOF

FILING OF DECLARATION UNDER 37 CFR 1.53(f)

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Responsive to the notification dated June 30, 2004, and in accordance with the provisions of 37 CFR 1.53(f), Applicants submit herewith a second copy of the Rule 63 declaration. The first copy having been filed with the application on April 20, 2004. The second copy shows more clearly the signatures of the inventors. As both copies of the Declaration are copies from the parent application No. 09/646,897, we submit that the fee for late filing of the Declaration is not required.

The Commissioner; however, is hereby authorized to charge fees for the papers filed herewith and for which no check is enclosed to Deposit Account No. 15-0030, if a fee is deemed necessary. A duplicate copy of this paper is enclosed.

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action is earnestly solicited.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. Oblon



Frederick D. Vastine, Ph.D.

Registration No. 27,013

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(OSMMN 05/03)



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/827,531 | 04/20/2004 | Patrick A. Gane | 252169US0CONT |

CONFIRMATION NO. 2962

22850
 OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.
 1940 DUKE STREET
 ALEXANDRIA, VA 22314

FORMALITIES LETTER



OC000000013107835

Date Mailed: 06/30/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/30/2004 SZEWDIE1 00000134 10827531

FILED UNDER 37 CFR 1.53(b)

| | |
|------------|-----------|
| 01 FC:1001 | 770.00 OP |
| 02 FC:1051 | 130.00 OP |
| 03 FC:1201 | 86.00 OP |
| 04 FC:1202 | 216.00 OP |

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$432** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1332** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$432**

- \$432 for 24 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

H. Monday
Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE